

United States Bankruptcy Court
Eastern District of Virginia

In re **Van Donald Miller**

Debtor(s)

Case No. **15-35965**

Chapter **7**

AMENDMENT COVER SHEET

Amendment(s) to the following petition, list(s), schedule(s) or statement(s) are transmitted herewith:

- ☐ Involuntary/Voluntary Petition [*Specify reason for amendment: _____*]
Check if applicable: ☐ Soc. Sec. No. amended. [*If applicable: An original, signed Official Form 121 was mailed/hand-delivered to the Clerk's office on _____.**]
- ☐ Summary of Your Assets and Liabilities (and Certain Statistical Information - Individuals Only)
- ☐ Declaration (Individuals - Form 106Dec) (Non-Individuals - Form 202)
- ☒ Schedule A/B - Property
- ☒ Schedule C - The Property You Claim as Exempt
- ☒ Schedule D - Creditors Who Hold Claims Secured by Property (See LBR 1009-1)
- ☐ Schedule E/F Creditors Who Have Unsecured Claims (See LBR 1009-1)
(\$30.00 fee required if adding or deleting pre-petition creditors, changing amounts owed or classification of debt.) Check applicable statement(s):
- ☒ Creditor(s) added ☐ Creditor(s) deleted
- ☐ Change in amounts owed or classification of debt
- ☐ No pre-petition creditors added/deleted, or amounts owed or classification of debt changed. [Docket: Amended Schedule(s) and/or Statement(s), List(s)-NO FEE]
- ☐ Post-petition creditors added (Schedule of Unpaid Debts)
- REMINDER: Conversion of Chapter 13 to Chapter 7 - only file Schedule of Unpaid Debts.**
- ☐ Schedule G- Executory Contracts and Unexpired Leases
- ☐ Schedule H - Codebtors
- ☐ Schedule I - Your Income
- ☐ Schedule J - Your Expenses

[NOTE: The form "NOTICE TO CREDITOR(S) (RE AMENDMENT)" is still required when adding or deleting creditors.
*Amendment of debtor(s) Social Security Number requires this cover sheet together with a completed Official Form 121 - Statement About Your Social Security Numbers be electronically filed or submitted to the Clerk's Office for 'restricted' entry of the amended Social Security Number into the case record.]

- ☐ Statement of Financial Affairs
- ☒ Statement of Intention for Individuals Filing Under Chapter 7
- ☐ Chapter 11 List of Equity Security Holders
- ☐ Chapter 11: The List of Creditors Who Have the 20 Largest Unsecured Claims Against You Who Are Not Insiders
- ☐ Attorney's Disclosure of Compensation
- ☐ Other: _____

NOTICE OF AMENDMENT(S) TO AFFECTED PARTIES

Pursuant to Federal Rule of Bankruptcy Procedure 1009(a) and Local Rule 1009-1, I certify that notice of the filing of the amendment(s) checked above has been given this date to the United States Trustee, the trustee in this case, and to any and all entities affected by the amendment as follows: **Mariner Finance.**

Date: **January 7, 2016**

/s/ Pamela Trachtman-Allen

Pamela Trachtman-Allen

Attorney for Debtor(s) [or *Pro Se* Debtor(s)]

State Bar No.: **83114**

Mailing Address: **The Merna Law Group, P.C.
3419 Virginia Beach Blvd., #236
Virginia Beach, VA 23452**

Telephone No.: **(757)340-4895**

Fill in this information to identify your case and this filing:

Debtor 1	Van Donald Miller		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	EASTERN DISTRICT OF VIRGINIA		
Case number	15-35965		

☒ Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

- ☒ No. Go to Part 2.
- ☐ Yes. Where is the property?

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. **Cars, vans, trucks, tractors, sport utility vehicles, motorcycles**

- ☐ No
- ☒ Yes

3.1 Make: **Buick**

Model: **Encore**

Year: **2013**

Approximate mileage: **10,500**

Other information:

Vehicle: 2013 Buick Encore
Mileage: 10,500
Condition: Good
Value: Based on NADA Clean Retail less \$1000 for normal wear and tear

Who has an interest in the property? Check one

- ☐ Debtor 1 only
- ☐ Debtor 2 only
- ☐ Debtor 1 and Debtor 2 only
- ☒ At least one of the debtors and another
- ☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$18,225.00

\$18,225.00

Debtor 1 **Van Donald Miller**

Case number (if known) **15-35965**

3.2 Make: **Dodge**
Model: **Journey**
Year: **2009**
Approximate mileage: **90,000**

Other information:

**Vehicle: 2009 Dodge Journey
Mileage: 90,000
Condition: Good
Value: Based on NADA clean retail less \$1000 for normal wear and tear.**

Vehicle was repossessed in November but has not been liquidated at the time of filing. Debtor is surrendering his interest.

Who has an interest in the property? Check one

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☒ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$8,625.00

\$8,625.00

3.3 Make: **Lincoln**
Model: **Towncar**
Year: **1996**
Approximate mileage: **155,000**

Other information:

**Vehicle: 1996 Lincoln Towncar
Mileage: 155,000
Condition: Good
Value: Based on NADA clean retail less \$1000 for normal wear and tear**

Who has an interest in the property? Check one

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$2,850.00

\$2,850.00

3.4 Make: **BMW**
Model: **3 Series**
Year: **2007**
Approximate mileage: **140,000**

Other information:

**Condition: Fair
Value based off of NADA clean retail price, minus \$1,000.00 for normal wear and tear**

Who has an interest in the property? Check one

- ☐ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☒ At least one of the debtors and another

☐ Check if this is community property (see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property?

Current value of the portion you own?

\$9,475.00

\$4,737.50

4. **Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories**

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

- ☒ No
☐ Yes

5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=>

\$34,437.50

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
Do not deduct secured claims or exemptions.

6. **Household goods and furnishings**

Examples: Major appliances, furniture, linens, china, kitchenware

- ☐ No
☒ Yes. Describe.....

Debtor 1 **Van Donald Miller**Case number (if known) **15-35965**

Household goods, furnishings and other items located at debtor's residence.

Value listed is based on debtor's estimate of replacement value of the property.

2 Chairs \$50, 1 Sofa \$150, 1 Coffee Table \$75, 2 Bed \$1000, 1 Chest of Drawers \$100, 1 Buffet \$150, 1 Radio \$200, 3 TV \$800, 1 Phone \$25, 1 Fan \$30, 1 Vacuum \$90, 1 Refrigerator \$500, 1 Microwave \$40, 3 Lamps \$200, 15 Dishes \$100, 5 Pots and Pans \$150, 7 Collectibles \$700, 2 Pictures \$100,

\$4,460.00**7. Electronics**

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

☒ No☐ Yes. Describe.....**8. Collectibles of value**

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

☒ No☐ Yes. Describe.....**9. Equipment for sports and hobbies**

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

☒ No☐ Yes. Describe.....**10. Firearms**

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

☒ No☐ Yes. Describe.....**11. Clothes**

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

☐ No☒ Yes. Describe.....

Wearing apparel located at debtor's residence. Value listed is based on debtor's estimate of replacement value of the property.

\$500.00**12. Jewelry**

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

☐ No☒ Yes. Describe.....

Wedding band/engagement ring located at debtor's residence. Value listed is based on debtor's estimate of replacement value of the property.

\$1.00**13. Non-farm animals**

Examples: Dogs, cats, birds, horses

☒ No☐ Yes. Describe.....**14. Any other personal and household items you did not already list, including any health aids you did not list**☒ No☐ Yes. Give specific information.....

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here

\$4,961.00

Debtor 1 Van Donald MillerCase number (if known) 15-35965**Part 4: Describe Your Financial Assets****Do you own or have any legal or equitable interest in any of the following?****Current value of the portion you own?**
Do not deduct secured claims or exemptions.**16. Cash***Examples:* Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition☐ No☒ Yes.....**Cash on hand****\$1.00****17. Deposits of money***Examples:* Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each.☐ No☒ Yes.....

Institution name:

17.1.	Checking account *9451 with Wells Fargo Bank	\$5.00
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17.2.	Savings account *2377 with Wells Fargo Bank	\$5.00
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17.3.	Savings account *5417 with Wells Fargo Bank	\$5.00
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17.4.	Checking account *S8 with Henrico Federal Credit Union	\$5.00
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17.5.	Savings account *S1 with Henrico Federal Credit Union	\$5.00
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17.6.	Flower Credit Union Checking & Savings Accounts	\$5.00
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18. Bonds, mutual funds, or publicly traded stocks*Examples:* Bond funds, investment accounts with brokerage firms, money market accounts☒ No☐ Yes..... Institution or issuer name:**19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture**☒ No☐ Yes. Give specific information about them.....

Name of entity:

% of ownership:

20. Government and corporate bonds and other negotiable and non-negotiable instruments*Negotiable instruments* include personal checks, cashiers' checks, promissory notes, and money orders.*Non-negotiable instruments* are those you cannot transfer to someone by signing or delivering them.☒ No☐ Yes. Give specific information about them

Issuer name:

21. Retirement or pension accounts*Examples:* Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans☐ No☒ Yes. List each account separately.

Type of account:

Institution name:

Debtor 1 Van Donald MillerCase number (if known) 15-35965**Retirement plan**
Flowers Foods, Inc. 401k**\$11,628.00****22. Security deposits and prepayments**

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others☐ No☒ Yes.

Institution name or individual:

**Security deposit held by utility company,
landlord, etc.****\$1.00****23. Annuities** (A contract for a periodic payment of money to you, either for life or for a number of years)☒ No☐ Yes..... Issuer name and description.**24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.**

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

☒ No☐ Yes..... Institution name and description. Separately file the records of any interests. 11 U.S.C. § 521(c):**25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit**☐ No☒ Yes. Give specific information about them...**Contingent inheritance****\$1.00****26. Patents, copyrights, trademarks, trade secrets, and other intellectual property***Examples:* Internet domain names, websites, proceeds from royalties and licensing agreements☒ No☐ Yes. Give specific information about them...**27. Licenses, franchises, and other general intangibles***Examples:* Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses☒ No☐ Yes. Give specific information about them...**Money or property owed to you?****Current value of the
portion you own?**Do not deduct secured
claims or exemptions.**28. Tax refunds owed to you**☐ No☒ Yes. Give specific information about them, including whether you already filed the returns and the tax years.....**Anticipated refund from debtor's 2015
federal income tax return, estimated
pro rata.****\$2,838.00****Anticipated refund from debtor's 2015
state income tax return, estimated pro
rata.****\$1,240.00****29. Family support***Examples:* Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement☒ No☐ Yes. Give specific information.....

Debtor 1 **Van Donald Miller**Case number (if known) **15-35965****30. Other amounts someone owes you***Examples:* Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else☒ No☐ Yes. Give specific information..**31. Interests in insurance policies***Examples:* Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance☐ No☒ Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund
value:**Term life insurance policy. No cash
surrender value.****\$1.00****32. Any interest in property that is due you from someone who has died**

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

☒ No☐ Yes. Give specific information..**33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment***Examples:* Accidents, employment disputes, insurance claims, or rights to sue☐ No☒ Yes. Describe each claim.....**Future wages****\$1.00****34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims**☒ No☐ Yes. Describe each claim.....**35. Any financial assets you did not already list**☒ No☐ Yes. Give specific information..**36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached for Part 4. Write that number here.....****\$15,741.00****Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.****37. Do you own or have any legal or equitable interest in any business-related property?**☐ No. Go to Part 6.☒ Yes. Go to line 38.**Current value of the
portion you own?**
Do not deduct secured
claims or exemptions.**38. Accounts receivable or commissions you already earned**☒ No☐ Yes. Describe.....**39. Office equipment, furnishings, and supplies***Examples:* Business-related computers, software, modems, printers, copiers, fax machines, rugs, telephones, desks, chairs, electronic devices☐ No☒ Yes. Describe.....

Debtor 1 Van Donald MillerCase number (if known) 15-35965

Debtor is sole propreitor of Van Miller's Janitorial Service. He has a single client that generates an average gross revenue of \$300 per month.

The business has no value besides the equipment which includes two buckets, 2 mops, 1 stripping buffer, vaccume cleaner, and other small tools and cleaning supplies.

\$200.00

40. Machinery, fixtures, equipment, supplies you use in business, and tools of your trade

☒ No☐ Yes. Describe.....

41. Inventory

☒ No☐ Yes. Describe.....

42. Interests in partnerships or joint ventures

☒ No☐ Yes. Give specific information about them.....

Name of entity:

% of ownership:

43. Customer lists, mailing lists, or other compilations

☒ No.☐ Do your lists include personally identifiable information (as defined in 11 U.S.C. § 101(41A))?☒ No☐ Yes. Describe.....

44. Any business-related property you did not already list

☒ No☐ Yes. Give specific information.....

45. Add the dollar value of all of your entries from Part 5, including any entries for pages you have attached for Part 5. Write that number here.....

\$200.00**Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.**

If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

☒ No. Go to Part 7.☐ Yes. Go to line 47.**Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above**

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership☒ No☐ Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here

\$0.00

Debtor 1 **Van Donald Miller**Case number (if known) **15-35965****Part 8:** List the Totals of Each Part of this Form

55. Part 1: Total real estate, line 2			\$0.00
56. Part 2: Total vehicles, line 5	\$34,437.50		
57. Part 3: Total personal and household items, line 15	\$4,961.00		
58. Part 4: Total financial assets, line 36	\$15,741.00		
59. Part 5: Total business-related property, line 45	\$200.00		
60. Part 6: Total farm- and fishing-related property, line 52	\$0.00		
61. Part 7: Total other property not listed, line 54	\$0.00		
	+		
62. Total personal property. Add lines 56 through 61...	\$55,339.50	Copy personal property total	\$55,339.50
63. Total of all property on Schedule A/B. Add line 55 + line 62			\$55,339.50

Fill in this information to identify your case:

Debtor 1	Van Donald Miller		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	EASTERN DISTRICT OF VIRGINIA		
Case number (if known)	15-35965		

☒ Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

- ☒ You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
- ☐ You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own <small>Copy the value from <i>Schedule A/B</i></small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
2013 Buick Encore 10,500 miles Vehicle: 2013 Buick Encore Mileage: 10,500 Condition: Good Value: Based on NADA Clean Retail less \$1000 for normal wear and tear Line from <i>Schedule A/B</i> : 3.1	\$18,225.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
2009 Dodge Journey 90,000 miles Vehicle: 2009 Dodge Journey Mileage: 90,000 Condition: Good Value: Based on NADA clean retail less \$1000 for normal wear and tear. Vehicle was repossessed in November but has not been liquidated at the time of filing. Line from <i>Schedule A/B</i> : 3.2	\$8,625.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own <small>Copy the value from Schedule A/B</small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
1996 Lincoln Towncar 155,000 miles Vehicle: 1996 Lincoln Towncar Mileage: 155,000 Condition: Good Value: Based on NADA clean retail less \$1000 for normal wear and tear Line from Schedule A/B: 3.3	\$2,850.00	<input checked="" type="checkbox"/> \$2,850.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-26(8)
1996 Lincoln Towncar 155,000 miles Vehicle: 1996 Lincoln Towncar Mileage: 155,000 Condition: Good Value: Based on NADA clean retail less \$1000 for normal wear and tear Line from Schedule A/B: 3.3	\$2,850.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
2007 BMW 3 Series 140,000 miles Condition: Fair Value based off of NADA clean retail price, minus \$1,000.00 for normal wear and tear Line from Schedule A/B: 3.4	\$4,737.50	<input checked="" type="checkbox"/> \$1,079.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Household goods, furnishings and other items located at debtor's residence. Value listed is based on debtor's estimate of replacement value of the property. 2 Chairs \$50, 1 Sofa \$150, 1 Coffee Table \$75, 2 Bed \$1000, 1 Chest of Drawers \$100, 1 Buffet \$ Line from Schedule A/B: 6.1	\$4,460.00	<input checked="" type="checkbox"/> \$4,460.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-26(4a)
Wearing apparel located at debtor's residence. Value listed is based on debtor's estimate of replacement value of the property. Line from Schedule A/B: 11.1	\$500.00	<input checked="" type="checkbox"/> \$500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-26(4)
Wedding band/engagement ring located at debtor's residence. Value listed is based on debtor's estimate of replacement value of the property. Line from Schedule A/B: 12.1	\$1.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-26(1a)
Cash on hand Line from Schedule A/B: 16.1	\$1.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Checking account *9451 with Wells Fargo Bank Line from Schedule A/B: 17.1	\$5.00	<input checked="" type="checkbox"/> \$5.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own <small>Copy the value from Schedule A/B</small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
Savings account *2377 with Wells Fargo Bank Line from Schedule A/B: 17.2	<u>\$5.00</u>	<input checked="" type="checkbox"/> <u>\$5.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Savings account *5417 with Wells Fargo Bank Line from Schedule A/B: 17.3	<u>\$5.00</u>	<input checked="" type="checkbox"/> <u>\$5.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Checking account *S8 with Henrico Federal Credit Union Line from Schedule A/B: 17.4	<u>\$5.00</u>	<input checked="" type="checkbox"/> <u>\$5.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Savings account *S1 with Henrico Federal Credit Union Line from Schedule A/B: 17.5	<u>\$5.00</u>	<input checked="" type="checkbox"/> <u>\$5.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Flower Credit Union Checking & Savings Accounts Line from Schedule A/B: 17.6	<u>\$5.00</u>	<input checked="" type="checkbox"/> <u>\$5.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Retirement plan Flowers Foods, Inc. 401k Line from Schedule A/B: 21.1	<u>\$11,628.00</u>	<input checked="" type="checkbox"/> <u>\$11,628.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-34
Security deposit held by utility company, landlord, etc. Line from Schedule A/B: 22.1	<u>\$1.00</u>	<input checked="" type="checkbox"/> <u>\$1.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Contingent inheritance Line from Schedule A/B: 25.1	<u>\$1.00</u>	<input checked="" type="checkbox"/> <u>\$1.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Anticipated refund from debtor's 2015 federal income tax return, estimated pro rata. Line from Schedule A/B: 28.1	<u>\$2,838.00</u>	<input checked="" type="checkbox"/> <u>\$2,692.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Anticipated refund from debtor's 2015 state income tax return, estimated pro rata. Line from Schedule A/B: 28.2	<u>\$1,240.00</u>	<input checked="" type="checkbox"/> <u>\$1.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Term life insurance policy. No cash surrender value. Line from Schedule A/B: 31.1	<u>\$1.00</u>	<input checked="" type="checkbox"/> <u>\$1.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. §§ 38.2-3122, 38.2-3123
Future wages Line from Schedule A/B: 33.1	<u>\$1.00</u>	<input checked="" type="checkbox"/> <u>\$1.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own <small>Copy the value from Schedule A/B</small>	Amount of the exemption you claim <small>Check only one box for each exemption.</small>	Specific laws that allow exemption
Debtor is sole proprietor of Van Miller's Janitorial Service. He has a single client that generates an average gross revenue of \$300 per month. The business has no value besides the equipment which includes two buckets, 2 mops, 1 stripping buffer, va Line from Schedule A/B: 39.1	<u>\$200.00</u>	<input checked="" type="checkbox"/> <u>\$200.00</u> <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-26(7)

3. **Are you claiming a homestead exemption of more than \$155,675?**
 (Subject to adjustment on 4/01/16 and every 3 years after that for cases filed on or after the date of adjustment.)
- ☒ No
- ☐ Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
- ☐ No
- ☐ Yes

Fill in this information to identify your case:

Debtor 1	Van Donald Miller		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)			
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	EASTERN DISTRICT OF VIRGINIA		
Case number (if known)	15-35965		

☐ Check if this is an amended filing

Official Form 106D

Schedule D: Creditors Who Have Claims Secured by Property

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

- ☐ No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.
- ☒ Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

	Column A Amount of claim Do not deduct the value of collateral.	Column B Value of collateral that supports this claim	Column C Unsecured portion If any
2.1 Ally Financial* <small>Creditor's Name</small> CT Corporation Sys, Reg. Agent 4701 Cox Road, Ste. 301 Glen Allen, VA 23060 <small>Number, Street, City, State & Zip Code</small>	Describe the property that secures the claim: 2013 Buick Encore 10,500 miles Vehicle: 2013 Buick Encore Mileage: 10,500 Condition: Good Value: Based on NADA Clean Retail less \$1000 for normal wear and tear As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed Nature of lien. Check all that apply. <input type="checkbox"/> An agreement you made (such as mortgage or secured car loan) <input type="checkbox"/> Statutory lien (such as tax lien, mechanic's lien) <input type="checkbox"/> Judgment lien from a lawsuit <input checked="" type="checkbox"/> Other (including a right to offset)	\$28,083.00	\$18,225.00
Who owes the debt? Check one. <input type="checkbox"/> Debtor 1 only <input type="checkbox"/> Debtor 2 only <input type="checkbox"/> Debtor 1 and Debtor 2 only <input checked="" type="checkbox"/> At least one of the debtors and another <input type="checkbox"/> Check if this claim relates to a community debt	Automobile Loan Date debt was incurred 05/2014 Last 4 digits of account number 2124		

2.2 Exeter Finance Corp* <small>Creditor's Name</small> Corporation Service Company 1111 E. Main St., 16th Floor Richmond, VA 23219 <small>Number, Street, City, State & Zip Code</small>	Describe the property that secures the claim: 2009 Dodge Journey 90,000 miles Vehicle: 2009 Dodge Journey Mileage: 90,000 Condition: Good Value: Based on NADA clean retail less \$1000 for normal wear and tear. Vehicle was repossessed in November but has not been liquidated at the As of the date you file, the claim is: Check all that apply. <input type="checkbox"/> Contingent <input type="checkbox"/> Unliquidated <input type="checkbox"/> Disputed	\$12,000.00	\$8,625.00	\$3,375.00
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Debtor 1 **Van Donald Miller** Case number (if know) **15-35965**
First Name Middle Name Last Name

Who owes the debt? Check one.

- ☒ Debtor 1 only
☐ Debtor 2 only
☐ Debtor 1 and Debtor 2 only
☐ At least one of the debtors and another
☐ Check if this claim relates to a community debt

Nature of lien. Check all that apply.

- ☐ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☒ Other (including a right to offset)

Automobile Loan

Date debt was incurred **2014**

Last 4 digits of account number **3305**

2.3 Mariner Finance

Creditor's Name

**8211 Town Center Drive
Baltimore, MD 21236**

Number, Street, City, State & Zip Code

Describe the property that secures the claim:

**2007 BMW 3 Series 140,000 miles
Condition: Fair
Value based off of NADA clean retail
price, minus \$1,000.00 for normal
wear and tear**

As of the date you file, the claim is: Check all that apply.

- ☐ Contingent
☐ Unliquidated
☐ Disputed

Nature of lien. Check all that apply.

- ☐ An agreement you made (such as mortgage or secured car loan)
☐ Statutory lien (such as tax lien, mechanic's lien)
☐ Judgment lien from a lawsuit
☒ Other (including a right to offset)

Automobile Loan

Date debt was incurred **2013**

Last 4 digits of account number **0835**

\$7,317.00 \$9,475.00 \$0.00

Add the dollar value of your entries in Column A on this page. Write that number here:

\$47,400.00

If this is the last page of your form, add the dollar value totals from all pages.

\$47,400.00

Write that number here:

Part 2: List Others to Be Notified for a Debt That You Already Listed

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

☐ Name Address

-NONE-

On which line in Part 1 did you enter the creditor?

Last 4 digits of account number

Fill in this information to identify your case:

Debtor 1 Van Donald Miller
First Name Middle Name Last Name

Debtor 2
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: EASTERN DISTRICT OF VIRGINIA

Case number 15-35965
(if known)

☒ Check if this is an amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

 Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

☒ No

☐ Yes. Name of person _____ . Attach *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

X /s/ Van Donald Miller
Van Donald Miller
Signature of Debtor 1

X _____
Signature of Debtor 2

Date January 7, 2016

Date _____

Fill in this information to identify your case:

Debtor 1 **Van Donald Miller**
First Name Middle Name Last Name

Debtor 2
(Spouse if, filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: **EASTERN DISTRICT OF VIRGINIA**

Case number **15-35965**
(if known)

☐ Check if this is an amended filing

Official Form 108 Statement of Intention for Individuals Filing Under Chapter 7

12/15

If you are an individual filing under chapter 7, you must fill out this form if:

- ☐ creditors have claims secured by your property, or
- ☐ you have leased personal property and the lease has not expired.

You must file this form with the court within 30 days after you file your bankruptcy petition or by the date set for the meeting of creditors, whichever is earlier, unless the court extends the time for cause. You must also send copies to the creditors and lessors you list on the form

If two married people are filing together in a joint case, both are equally responsible for supplying correct information. Both debtors must sign and date the form.

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

Part 1: List Your Creditors Who Have Secured Claims

1. For any creditors that you listed in Part 1 of Schedule D: Creditors Who Have Claims Secured by Property (Official Form 106D), fill in the information below.

Identify the creditor and the property that is collateral	What do you intend to do with the property that secures a debt?	Did you claim the property as exempt on Schedule C?
Creditor's name: Ally Financial*	<input type="checkbox"/> Surrender the property. <input type="checkbox"/> Retain the property and redeem it. <input type="checkbox"/> Retain the property and enter into a <i>Reaffirmation Agreement</i> . <input checked="" type="checkbox"/> Retain the property and [explain]:	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Description of property securing debt: 2013 Buick Encore 10,500 miles Vehicle: 2013 Buick Encore Mileage: 10,500 Condition: Good Value: Based on NADA Clean Retail less \$1000 for normal wear and tear	Retain collateral and continue payments	

Creditor's name: Exeter Finance Corp*	<input checked="" type="checkbox"/> Surrender the property. <input type="checkbox"/> Retain the property and redeem it. <input type="checkbox"/> Retain the property and enter into a <i>Reaffirmation Agreement</i> .	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Description of property securing debt: 2009 Dodge Journey 90,000 miles Vehicle: 2009 Dodge Journey Mileage: 90,000 Condition: Good Value: Based on NADA clean retail less \$1000 for normal wear and tear.		

B8 (Form 8) (12/08)

Page 2

property

securing debt: **Vehicle was repossessed in November but has not been liquidated at the**

☐ Retain the property and [explain]:

Creditor's name: **Mariner Finance**

Description of property: **2007 BMW 3 Series 140,000 miles**
securing debt: **Condition: Fair Value based off of NADA clean retail price, minus \$1,000.00 for normal wear and tear**

☒ Surrender the property.

☐ Retain the property and redeem it.

☐ Retain the property and enter into a *Reaffirmation Agreement*.

☐ Retain the property and [explain]:

☒ No

☐ Yes

Part 2: List Your Unexpired Personal Property Leases

For any unexpired personal property lease that you listed in Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G), fill in the information below. Do not list real estate leases. Unexpired leases are leases that are still in effect; the lease period has not yet ended. You may assume an unexpired personal property lease if the trustee does not assume it. 11 U.S.C. § 365(p)(2).

Describe your unexpired personal property leases

Will the lease be assumed?

Lessor's name:

Description of leased

Property:

☐ No

☐ Yes

Lessor's name:

Description of leased

Property:

☐ No

☐ Yes

Lessor's name:

Description of leased

Property:

☐ No

☐ Yes

Lessor's name:

Description of leased

Property:

☐ No

☐ Yes

Lessor's name:

Description of leased

Property:

☐ No

☐ Yes

Lessor's name:

Description of leased

Property:

☐ No

☐ Yes

Lessor's name:

Description of leased

Property:

☐ No

☐ Yes

Part 3: Sign Below

Under penalty of perjury, I declare that I have indicated my intention about any property of my estate that secures a debt and any personal property that is subject to an unexpired lease.

X /s/ Van Donald Miller
Van Donald Miller
Signature of Debtor 1

X _____
Signature of Debtor 2

Date January 7, 2016

Date _____

**United States Bankruptcy Court
Eastern District of Virginia**

In re **Van Donald Miller**

Debtor(s)

Case No. **15-35965**

Chapter **7**

TO:

**Mariner Finance
8211 Town Center Drive
Baltimore, MD 21236**

**NOTICE TO
CREDITOR(S) (RE AMENDMENT)**

NOTICE IS HEREBY GIVEN that an amendment to the above-captioned debtor's schedules has been filed

- ☒ adding you as a creditor,
☐ deleting you as a creditor,
☐ correcting your address

A copy of the amendment is forwarded to you together with this notice.

[If amendment is adding creditor(s)] NOTICE IS FURTHER GIVEN that also forwarded to you together with this notice is a copy of the notice of the meeting of creditors called by the United States Trustee pursuant to Federal Rule of Bankruptcy Procedure 2003, giving the particulars of the case and stating the last date for the filing of claims (*if any was given*), for filing complaints objecting to the discharge and complaints to determine the dischargeability of certain debts; a copy of the discharge of the debtor, *if one has been entered*, a subsequent notice to file claims, *if one has been issued*, and any other filed document affecting the rights of the added creditor(s).

Van Donald Miller

Date: **January 7, 2016**

By **/s/ Pamela Trachtman-Allen**

Attorney for Debtor [or *Pro Se* Debtor]

State Bar No.: **83114**

Address: **The Merna Law Group, P.C.
3419 Virginia Beach Blvd., #236
Virginia Beach, VA 23452**

Telephone No.: **(757)340-4895**

CERTIFICATION

I certify that on **January 7, 2016**, I served a copy of the foregoing notice on the United States Trustee, any appointed trustee, and any and all entities affected by the amendment pursuant to Local Bankruptcy Rule 1009-1(A).

/s/ Pamela Trachtman-Allen

Pamela Trachtman-Allen 83114

Attorney for Debtor [or *Pro Se* Debtor]